

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

IN RE:
DEAN PATRICK STOCK

BCN#: 22-61271
Chapter: 13

Debtor

Nationstar Mortgage LLC
or present noteholder,

Movant/Secured Creditor,

v.

DEAN PATRICK STOCK
Debtor

NOTICE OF OBJECTION AND HEARING

Nationstar Mortgage LLC. has filed papers with the court objecting to the confirmation of the proposed Chapter 13 plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

In order to oppose this motion, you must also attend the preliminary hearing scheduled to be held on: 2/9/2023 at 09:30 AM, before Judge Connelly; however, the hearing shall be conducted pursuant to Temporary Emergency Provisions Regarding ZoomGov Remote Proceeding Access Information which is available on the court's website.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

REMOTE HEARING INFORMATION:

Due to the COVID-19 public health emergency, no in-person hearings are being held.

This hearing will take place remotely through Zoom on the date and time scheduled herein.

To appear at the hearing, you must send, by email, a completed request form (the "Zoom Request Form"), which is available on the Court's internet website at www.vaeb.courts.gov, on the page titled, "Temporary Emergency Provisions Regarding ZoomGov Remote Proceeding Access Information." Email your completed Zoom Request Form to the email address listed for the Judge assigned to the case. Following receipt of your Zoom Request Form, Court staff will respond to the email address from which the request was submitted with additional information on how to participate through Zoom.

The email address shall be used only to submit Zoom Request Forms. No other matters or requests will be considered by Court staff, and under no circumstances will any such matters or requests be brought to the Judge's attention. Failure to comply with these instructions may result in appropriate action, including but not limited to the imposition of sanctions.

PLEASE NOTE: You MUST submit the Zoom Request Form no later than two (2) business days prior to this hearing. Any documentary evidence the parties wish to present at the hearing must be filed with the Court in advance of the hearing

Dated: ____ January 10, 2023 _____ LOGS LEGAL GROUP LLP
Attorneys for Nationstar Mortgage LLC

/S/ Gregory N. Britto
By: _____
William M. Savage, Esquire
VSB #26155
Gregory N. Britto, Esquire
VSB #23746
LOGS LEGAL GROUP LLP
10021 Balls Ford Road, Suite 200
Manassas, VA 20109
(703) 449-5800

CERTIFICATE OF SERVICE

I hereby certify that on the __10th____ day of __January_____, _2023_____ the following person(s) were served a copy of the foregoing in the manner described below:

Via CM/ECF Electronic Notice:

Shannon T Morgan
ROYER CARAMAMIS, PLC
200-C Garrett Street
Charlottesville, VA. 22902

Debtor's Attorney

Herbert L. Beskin
123 East Main St
Suite 310
Charlottesville, VA 22902

Chapter 13 Trustee

Via First Class Mail, Postage Prepaid:

Dean Patrick Stock
610 Hidden Oaks Place
Prince George, VA 23875

Debtor(s)

/S/ Gregory N. Britto

William M. Savage, Esquire
VSB #26155
Gregory N. Britto, Esquire
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OBJECTION OF NATIONSTAR MORTGAGE LLC
TO PROPOSED CHAPTER 13 PLAN AND
CONFIRMATION THEREOF

Nationstar Mortgage LLC, and its assignees and/or successors in interest, a secured creditor in the above-entitled Bankruptcy proceeding, hereby submits the following objections to the confirmation of the Chapter 13 Plan proposed by Debtor:

1. This objecting secured creditor is the beneficiary of a trust deed on property commonly known as 91 Appalachian Lane, Gordonsville, VA 22942; the promissory note and deed of trust were attached to the proof of claim filed by the secured creditor.
2. The debtor is due estimated pre-petition arrears of \$58,198.44.
3. The proposed Plan does not set forth a reasonable schedule and time period for the payment of arrearages on the deed of trust.
4. The proposed Chapter 13 plan does not provide this objecting secured creditor with adequate protection or adequate security, according to Sections 362 and 1325(a) of the Code.
5. As indicated by the debtor's payment history and schedules, the Plan is not feasible.
6. The Plan does not propose to pay the secured creditor's entire claim, with estimated arrears of \$58,198.44

CONCLUSION

Any Chapter 13 Plan proposed by Debtors must provide for and eliminate the objections specified above in order to be feasible and to provide adequate protection to this objecting secured creditor. It is respectfully requested that confirmation of the Chapter 13 Plan as proposed by Debtor be denied.

WHEREFORE, secured creditor prays as follows:

1. That confirmation of the proposed Chapter 13 Plan be denied.
2. For attorney's fees and costs incurred herein.
3. That a hearing be held 2/9/2023 at 09:30 AM, before Judge Connelly, on this objection; however, the hearing shall be conducted pursuant to Temporary Emergency Provisions Regarding ZoomGov Remote Proceeding Access Information which is available on the court's website.
4. For such other relief as this Court deems proper.

Dated: January 10, 2023 _____ Respectfully submitted

Nationstar Mortgage LLC
By Counsel:

/S/ Gregory N. Britto_
Gregory N. Britto, Esquire
VA. Bar No. 23746
William M. Savage, Esquire
LOGS Legal Group LLP
10021 Balls Ford Road, Suite 200
Manassas, VA 20109
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